



STATE MINING AND GEOLOGY BOARD

Policy and Legislation Committee

Brian Baca, Chair; Erin Garner; Benjamin Licari; Kathy Lund

EXECUTIVE OFFICER'S REPORT

For Meeting Date: December 9, 2010

Agenda Item No. 3: Discussion of the SMARA Mine Reclamation Account in the Implementation of the Surface Mining and Reclamation Act (SMARA).

INTRODUCTION: At its November 10, 2010, regular business meeting, the State Mining and Geology Board (SMGB) approved its revised Strategic Plan. Administrative procedures for annual reporting requirements and reporting fees for operators of surface mining operations have been established. Such fees established are deposited in the Mine Reclamation Account and shall be made available to the Department of Conservation (DOC) and the SMGB. In fulfilling its obligations and responsibilities pursuant to the Surface Mining and Reclamation Act (SMARA), the SMGB's Policy and Legislation Committee is reviewing the SMGB's overall budgetary needs, and how such funds are dispersed among the various SMARA programs.

STATUTORY AUTHORITY: Public Resources Code (PRC) Section 2207(d)(4)(A) specifically states

"The reporting fees established pursuant to this subdivision shall be deposited in the Mine Reclamation Account, which is hereby created. Any fees, penalties, interest, fines, or charges collected by the director or board pursuant to this chapter or Chapter 9 (commencing with Section 2710) shall be deposited in the Mine Reclamation Account. The money in the account shall be available to the department and board, upon appropriation by the Legislature, for the purpose of carrying out this section and Chapter 9 (commencing with Section 2710), which includes, but is not limited to, classification and designation of areas with mineral resources of statewide or regional significance, reclamation plan and financial assurance review, mine inspection, and enforcement."

EXECUTIVE OFFICER'S RECOMMENDATIONS: The Executive Officer's offers no recommendation to the Committee at this time.

Respectfully submitted:

Stephen M. Testa
Executive Officer


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